

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
May 15, 2006**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:12 P.M. on May 15, 2006, 2006, in Conference Room 2, Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.

BOARD MEMBERS PRESENT: Judith E. Piersall, R.N., B.S.N, Chairperson
Woody B. Hanes, R.N., M.S.N., F.N.P.
Florence Jones-Clarke, R.N., M.S.
Lawrence L. Logan, Citizen Member
Patricia M. Selig, R.N., F.N.P., Ph.D.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M. C.S.A.C., Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director, Nurse Aide Registry Manager
Susan Bell Rosen, R.N., F.N.P., M.S., J.D., Deputy Executive Director, Discipline
Jane Elliott, R.N., Ph.D., Discipline Staff
Donna Lee, Senior Discipline Specialist

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General

ESTABLISHMENT OF A QUORUM: With five (5) members of the Board present, a quorum was established.

FORMAL HEARINGS SCHEDULED: **Jessica A. Ratliff, L.P.N. Applicant**
Ms. Ratliff appeared.
Mykl Egan, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Assistant Attorney General was legal counsel for the Board. Calvin Addison, court reporter, recorded the proceedings.

CLOSED MEETING: Ms. Hanes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 2:02 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Ratliff. Additionally, Ms. Hanes moved that Ms. Douglas, Ms. Power, Ms. Rosen, Dr. Elliott, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:37 P.M.

Ms. Hanes moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting

requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Egan, and amended by the Board.

Ms. Jones-Clarke moved that the Board of Nursing reinstate the practical nursing license of Jessica Ratliff and place her on probation with terms for a period of one year of employment as a licensed practical nurse.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 2:41 P.M.

RECONVENTION: The Board reconvened at 2:50 P.M.

FORMAL HEARINGS
SCHEDULED:

**Ronice R. Lowe, C.N.A. Reinstatement Applicant 1401-076327, L.P.N.
Applicant**

Ms. Lowe appeared, accompanied by Nicole Jackson.

Peter Oppen, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Assistant Attorney General was legal counsel for the Board. Calvin Addison, court reporter, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions and Nicole Jackson were present and testified.

CLOSED MEETING: Mr. Logan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 3:40 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lowe. Additionally, Mr. Logan moved that Ms. Douglas, Ms. Power, Dr. Elliott, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:28 P.M.

Mr. Logan moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Jones-Clarke moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Oppen, and amended by the Board.

Ms. Hanes moved that the Board of Nursing reinstate the nurse aide certification of Ronice Lowe and issue her an Order of reprimand.

The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing approve the application of Ronice Lowe for licensure by examination as a practical nurse and issue her an unrestricted license upon successful completion of the NCLEX-PN examination.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT:

The Board adjourned at 4:30 P. M.

Jodi P. Power, R.N., J.D.,
Deputy Executive Director, Nurse Aide Registry Manager

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
May 15, 2006**

- TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:05 A.M., in Conference Room 2, Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.
- MEMBERS PRESENT: Woody B. Hanes, R.N., M.S.N., F.N.P.
Lawrence L. Logan, Citizen Member
- STAFF PRESENT: Susan Bell Rosen, R.N., F.N.P., M.S., J.D., Deputy Executive Director, Discipline
Jodi P. Power, R.N., J.D., Deputy Executive Director, Nurse Aide Registry
Manager
Gayle Miller, Adjudication Specialist
Mykl Egan, Adjudication Specialist (joined later)
- OTHERS PRESENT: Nursing students from MCI at ECPI Technical College and Manassas Technical College.
- CONFERENCES
SCHEDULED: **Michelle Brown, LPN Reinstatement Applicant 0002-049925**
Ms. Brown appeared.
- CLOSED MEETING: Mr. Logan moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 9:55 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Brown. Additionally, Mr. Logan moved that Ms. Power, Ms. Rosen and Ms. Miller attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.
- RECONVENTION: The Committee reconvened in open session at 10:18 A.M.

Mr. Logan moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.
- ACTION: Mr. Logan moved to issue an Order reinstate the license of Michelle Brown to practice as a licensed practical nurse and issue her a license that is valid in Virginia only.
The motion was seconded and carried unanimously.
- As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Brown unless a written request to the Board for a

formal hearing on the allegations made against her is received from Ms. Brown within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

RECESS: The Board recessed at 10:20 A.M.

RECONVENTION: The Board reconvened at 11:10 A.M.

CONFERENCES
CONTINUED: **Angel Alston, C.N.A. Reinstatement Applicant 1401-098783**
Ms. Alston appeared.

CLOSED MEETING: Mr. Logan moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 11:50 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Alston. Additionally, Mr. Logan moved that Ms. Power, Ms. Rosen and Ms. Miller attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 12:05 P.M.

Mr. Logan moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION: Mr. Logan moved to issue an Order to reinstate the certificate of Angel Alston to practice as a certified nurse aide and issue her an Order of reprimand.
The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Alston unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Alston within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

Ms. Miller and the nursing students left the meeting. Mr. Egan joined the meeting.

CONFERENCES
CONTINUED: **Tabitha Avellaneda, C.N.A. Reinstatement Applicant 1401-076586**
Ms. Avellaneda did not appear.

CLOSED MEETING: Mr. Logan moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the

Code of Virginia at 12:10 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Avellaneda. Additionally, Mr. Logan moved that Ms. Power, Ms. Rosen and Mr. Egan attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 12:22 P.M.

Mr. Logan moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Mr. Logan moved to issue an Order to deny Tabitha Avellaneda's application for reinstatement of her certificate to practice as a nurse aide in Virginia.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Avellaneda unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Avellaneda within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

ADJOURNMENT:

The Committee adjourned at 12:25 P.M.

Jodi P. Power, R.N., J.D.
Deputy Executive Director, Nurse Aide Registry Manager

**VIRGINIA BOARD OF NURSING
INFORMAL CONFERENCE COMMITTEE
May 15, 2006**

- TIME AND PLACE:** The meeting of the Informal Conference Committee of the Board of Nursing was convened at 10:35 A.M., in Conference Room 2, Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.
- MEMBERS PRESENT:** Woody B. Hanes, R.N., M.S.N., F.N.P.
Lawrence L. Logan, Citizen Member
- STAFF PRESENT:** Susan Bell Rosen, R.N., F.N.P., M.S., J.D., Deputy Executive Director, Discipline
Jodi P. Power, R.N., J.D., Deputy Executive Director, Nurse Aide Registry
Manager
Jane Smith, Adjudication Specialist (joined later)
- OTHERS PRESENT:** Nursing students from MCI at ECPI Technical College and Manassas Technical College.
- CONFERENCES
SCHEDULED:** **Danielle Nelson, L.P.N. 0002-054586, R.N. Applicant**
Ms. Nelson appeared, accompanied by her mother, Joanne Nelson.
- CLOSED MEETING:** Mr. Logan moved that the Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 10:52 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Nelson. Additionally, Mr. Logan moved that Ms. Power, Ms. Rosen and Ms. Smith attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.
- RECONVENTION:** The Committee reconvened in open session at 11:05 A.M.

Mr. Logan moved that the Informal Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.
- ACTION:** Mr. Logan moved to issue an Order to approve Danielle Nelson's application to take the NCLEX-RN examination for licensure as a professional nurse in Virginia and issue an unrestricted license upon successful completion of the examination.
The motion was seconded and carried unanimously.
- As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Nelson unless a written request to the Board for a

formal hearing on the allegations made against her is received from Ms. Nelson within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

ADJOURNMENT:

The Committee adjourned at 11:08 A.M.

Jodi P. Power, R.N., J.D.

Deputy Executive Director, Nurse Aide Registry Manager